

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-23 are pending in the present application. Claims 1, 8 and 15 have been amended, and claims 21-23 have been added without the introduction of any new matter.

In the outstanding Office Action, Claims 1-6, 8-13 and 15-19 were rejected 35 U.S.C. § 102(b) as anticipated by Tokimoto (U.S. Patent No. U.S. Patent 5,548,300); Claims 7, 14 and 20 were rejected under 35 U.S.C. § 103(a) as unpatentable over Tokimoto in view of Morlinaroli (U.S. Patent No. 6,265,984).

Claims 1-6, 8-13 and 15-19 were rejected 35 U.S.C. § 102(b) as anticipated by Tokimoto. That rejection is respectfully traversed.

Amended independent Claim 1 is directed to a display device that includes a first body, a second body connected to the first body at a rotary connection, a first display element, a switch selectively connected to a power source, and a controller. The first display element is disposed on the second body. An electrical pulse is generated when an electrical contact between the power source and the switch is periodically interrupted relative to a movement between the first body and the second body. The controller is electrically connected to the first display element so as to vary the state of the first display element in response to the relative movement between the first body and second body. The relative movement is calculated based on a frequency of the electrical pulses.

Similarly, amended independent Claims 8 and 15 also include a switch selectively connected to a power source. An electrical pulse is generated when an electrical contact between the power source and the switch is periodically interrupted relative to a movement between the first body and the second body. An angular velocity is calculated based on a frequency of the electrical pulses.

In a non-limiting example, Figure 20 illustrates a switch contact 400 selectively engages lower battery contact 220. Once per revolution, the switch contact 404 breaks electrical contract

with the lower battery contact 220 when follower 402 moves downward upon encountering axial cam lobe 400. Repeated rotary movement will generate an electrical pulse train within spring contact 222 having a frequency corresponding to the frequency of the revolution (see also paragraphs 38-40).

Tokimoto does not teach or suggest generating an electrical pulse when an electrical contact between a power source and a switch is periodically interrupted relative to a movement between a first body and a second body. Tokimoto also does not teach or suggest calculating a relative movement / angular velocity based on a frequency of the electrical pulses. Instead, Tokimoto discloses detecting at least one mark of a circular rotary marker using “a photo interrupted fixedly secured to the device body and facing the rotary marker” (see Figure 3; column 3, lines 1-38).

Accordingly, it is respectfully requested this rejection be withdrawn.

Claims 7, 14 and 20 were rejected under 35 U.S.C. § 103(a) as unpatentable over Tokimoto in view of Morlinaroli. That rejection is respectfully traversed.

Morlinaroli does not overcome the above-noted deficiencies of Tokimoto. Specifically, Morlinaroli does not teach or suggest generating an electrical pulse when an electrical contact between a power source and a switch is periodically interrupted relative to a movement between a first body and a second body nor calculating a relative movement / angular velocity based on a frequency of the electrical pulses.

As stated in M.P.E.P. §2143, a basic requirement for a prima facie case of obviousness is that the prior art reference (or references when combined) must teach or suggest all the claim limitations. As the cited references do not teach or suggest the feature of generating an electrical pulse when an electrical contact between a power source and a switch is periodically interrupted relative to a movement between a first body and a second body nor calculating a relative movement / angular velocity based on a frequency of the electrical pulses, it is respectfully submitted the outstanding Office Action has not created a prima facie case of obviousness with regard to the claims dependent from amended independent Claims 1, 8 and 15.

Accordingly, it is respectfully requested that this rejection also be withdrawn.

Additionally, new claims 21-23 were added without the introduction of any new matter (see, e.g., paragraph 31). New claims 21-23 are allowable because the cited art does not teach or suggest simultaneously displaying multiple display elements having different wavelengths. In particular, Morlinaroli discloses that green, yellow, and red color LEDs are respectively used to indicate "go," "yield" and "stop" (see column 6, lines 43-51). As such, Morlinaroli discloses that different color LEDs are displayed individually rather than simultaneously.

CONCLUSION

In light of the arguments set forth above, Applicants respectfully submit that the Application is now in allowable form. Accordingly, Applicants respectfully request consideration and allowance of the currently pending claims.

A fee for a two-month extension in the amount of \$450.00 is due at this time and a check in that amount is enclosed. It is believed that no additional fees are due. If this is incorrect, Applicants hereby authorize the Commissioner to charge any fees, other than issue fees, that may be required by this paper to Deposit Account No. 07-0153. The Examiner is respectfully requested to call Applicants' attorney for any reason that would advance the current application to issue. Please reference Attorney Docket No. 124795-1003.

Dated: December 8, 2006

Respectfully submitted,
GARDERE WYNNE SEWELL LLP



Karl L. Larson
Registration No. 41,141

ATTORNEY FOR APPLICANTS

3000 Thanksgiving Tower
1601 Elm Street
Dallas, Texas 75201-4761
(214) 999-4582 - Telephone
(214) 999-3623 - Facsimile

The PTO did not receive the following
listed item(s) check for \$450.00

DALLAS 1699148v5